



DECLARATION OF MICHAEL J. FLYNN

I, MICHAEL J. FLYNN, being duly sworn, depose  
and say:

1) I am a member of the Massachusetts bar and am  
engaged in the private practice of law in Boston, Massachusetts.

2) This declaration is made in support of the  
defendant's Motion to Enlarge Time for Filing Responsive  
Pleadings in connection with the two most recent lawsuits  
initiated by the Church of Scientology and Mary Sue Hubbard  
against Michael J. Flynn, his clients, and his colleagues.

3) I make this declaration to assist the Court  
in understanding the general context as well as the specific  
circumstances of the purpose and intent of L. Ron Hubbard, his wife  
and his front corporations - the Churches of Scientology -  
in bringing these latest, the fifteenth and sixteenth  
lawsuits against me. Because I request a period of ninety  
days in which to respond to these latest lawsuits, I re-  
spectfully submit that it would be of considerable assistance  
to the Court to understand the circumstances surrounding these  
latest lawsuits in connection with its rulings on my Motion  
to Enlarge Time for Filing Responsive Pleadings.

4) I have been involved in litigation against the  
Church of Scientology and L. Ron Hubbard for approximately  
five (5) years. Within weeks after initiating a lawsuit

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1 against the Church of Scientology and L. Ron Hubbard in Decem-  
2 ber 1979, myself, my colleagues and my clients were sued  
3 by the Church of Scientology in Las Vegas, Nevada and in  
4 Boston, Massachusetts pursuant to the policy of the Church  
5 of Scientology to "attack" its judicial opponents. Therefore,  
6 since the inception of the litigation, I have also been in-  
7 volved as a party in litigation involving Hubbard and his  
8 organizations. I currently represent approximately 18  
9 plaintiffs and 17 defendants in litigation involving Hubbard  
10 and the Church of Scientology. These include journalists,  
11 former members of Scientology and parents of members. I  
12 have also served as special counsel to the City of Clearwater,  
13 Florida in connection with a formal inquiry into the activities  
14 of the Church of Scientology in that City. The information  
15 set forth in this affidavit is based upon my personal knowledge  
16 and/or on information and belief where such information was  
17 obtained in connection with the aforementioned litigation.

18  
19 5) I respectfully submit that ~~a review~~ of the back-  
20 ground of this litigation by this Court will assist the Court  
21 in understanding the underlying basis for the institution of  
22 the present suits, which is essentially an effort by Hubbard  
23 and his organizations to prevent lawyers from representing  
24 parties who have claims against Hubbard and also to prevent  
25 former members from speaking out about these claims. Hubbard's  
26 use of the judicial system as demonstrated in this declaration,  
27 reflects a pattern of conduct designed to suppress judicial  
28 scrutiny of Hubbard's activities and to use the law and the

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1 courts for overtly harassive purposes, as reflected in the  
2 following policy of L. Ron Hubbard:

3 "The purpose of the suit is to harass and dis-  
4 courage rather than to win. The law can be  
5 used very easily to harass and enough harassment  
6 on somebody who is simply on the thin edge any-  
7 way, well knowing that he is not authorized,  
8 will generally be sufficient to cause his pro-  
9 fessional decease. If possible, of course, ruin  
10 him utterly." See Exhibit A attached hereto.

11  
12 6) The foregoing written policy of L. Ron Hubbard  
13 must be understood in the context of several other written  
14 policies of Hubbard which constitute the foundation of Hubbard's  
15 policies on dealing with his perceived "enemies." According  
16 to Hubbard, the following is the appropriate procedure:

17 - "Don't ever defend. Always attack. Find or  
18 manufacture enough threat against them to  
19 cause them to sue for peace. Originate a  
20 black PR campaign to destroy the person's  
21 repete and to discredit them so thoroughly  
22 they will be ostracized. Be very alert to  
23 sue for slander at the slightest chance so  
24 as to discourage the public presses from  
25 mentioning Scientology."

26 ////

27 ////

28 ////

1           7) Although the foregoing tactics have been used  
2 for over thirty years by Hubbard and have been repeatedly  
3 condemned by the courts, see, e.g., Church of Scientology v.  
4 McLean, 615 F.2d 691 (5th Cir. 1980), they continue. This  
5 most recent assault on myself, my colleagues and my clients is  
6 an effort by the Church to rebut 3 recent decisions rendered by the Tax  
7 Court of the United States, the Superior Court of Los Angeles, and the  
8 High Court in England regarding Scientology's fraudulent, and  
9 pernicious practices. A short discussion of these three cases  
10 is set forth below in Paragraphs 8, 10 and 11. The foregoing policies  
11 have been implemented against numerous lawyers, governmental  
12 agencies, prosecutors, and even against judges. See, for  
13 example, the article "Scientology's War Against Judges,"  
14 American Lawyer, September 1980, a copy of which is annexed  
15 hereto as Exhibit B.

16  
17           8) Whether or not Scientology is a religion, which  
18 has been questioned judicially, see Van Schaick v. Church of  
19 Scientology of California, 535 F.Supp. 1125, 1142-45 (D.Mass.  
20 1982), it is certainly as the Tax Court of the United States  
21 has recently held in September 1984, an organization that:

22       "has made a business out of selling religion; it has di-  
23 verted millions of dollars through a bogus trust fund and  
24 a sham corporation to key Scientology officials; and it has con-  
25 spired for almost a decade to defraud the United States Government  
26 by impeding the IRS from determining and collecting taxes from it  
27 and affiliated Churches."

28 The Tax Court went on to hold that the Churches were sham corporations il-

1 legally transferring monies to L. Ron Hubbard, that the Organization was  
2 engaged in widespread criminal activity and enforced policies in violation  
3 of well-known and accepted public policy, all of which resulted  
4 in the Tax Court stripping the Church of Scientology of Cali-  
5 fornia of its tax exempt status. Certain portions of the  
6 222-page Tax Court opinion are attached hereto as Exhibit C.  
7

8 9) Regardless of Scientology's claimed religious  
9 status and effort to defraud the United States Government,  
10 it is certainly, as one Federal Court has written, a  
11 "litigious organization," Church of Scientology of California  
12 v. Siegelman, 475 F.Supp. 950, 951 (S.D.N.Y. 1979) (Goettel, J.).  
13 Judge Goettel reported at P. 951, n. 1, that a Lexis scan  
14 "of reported decisions in the United States Courts in which  
15 the Church of Scientology was a party revealed the existence  
16 of thirty such cases—" A similar scan performed on July 15,  
17 1983 revealed 18 such cases in the state courts and 79 in  
18 the federal courts. The computer print-outs are annexed  
19 hereto as Exhibit D. In addition, many suits have been brought  
20 in the names of individual Scientology members, financed by  
21 the Church of Scientology, see, e.g., Exhibit E, described in  
22 Par. 15 below, and innumerable other cases have been filed  
23 around the world. See, e.g., Exhibit J described in Par. 14(g)  
24 below.  
25

26 10) The "litigious nature" of the Organization is  
27 not a coincidence; it is a direct product of Hubbard's "Fair  
28 Game" doctrine which permits "enemies" to be "injured by any

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1 means; tricked sued, or lied to or destroyed." See Allard  
2 v. Church of Scientology of California, 58 Cal.App. 3rd 443,  
3 129 Cal.Rptr. 797 (2nd Dist. 1976), cert. den. 429 U.S. 1091  
4 (1977). In the Allard case, the Court awarded \$100,000 to a  
5 former Scientology member who was prosecuted on trumped-up  
6 theft charges brought by the Organization to cover up its  
7 ongoing activities including fraud, extortion and blackmail.

8  
9 10) The foregoing activities and the Fair Game policy  
10 have also been recently recognized by Judge Paul Breckenridge  
11 of the Superior Court of Los Angeles. In the case of Church  
12 of Scientology of California and Mary Sue Hubbard v. Gerald Arm-  
13 strong, Civ. No. C 420 153, Hubbard's organization brought a complaint for  
14 conversion, breach of fiduciary duty and invasion of privacy  
15 against a former member for giving some of Hubbard's documents  
16 ~~to his~~ attorney. The Court, in July 1984, held that the  
17 Church of Scientology and Mary Sue Hubbard did not come into  
18 Court with "clean hands," that it was to take "nothing," that  
19 the documents were to be made available for public inspection,  
20 and to duly ~~constituted~~ governmental law enforcement agencies,  
21 that the Organization exercised a "kind of blackmail against  
22 persons who did not wish to continue" with the Organization  
23 and that it used confidential files in an effort to intimidate  
24 and abuse its members. In recognizing the continued implementa-  
25 tion of the Fair Game Doctrine against its enemies, the Court  
26 stated as follows:

27 "In addition to violating and abusing its own members'  
28 civil rights, the Organization over the years with its

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1 'Fair Game' Doctrine, has harassed and abused  
2 those persons not in the Church who it perceived  
3 as enemies. The Organization is clearly schizophrenic  
4 and paranoid, and this bizarre combination seems  
5 to be a reflection of its founder, LPH. The  
6 evidence portrays a man who has been virtually  
7 a pathological liar when it comes to his history,  
8 background, and achievements. The writings and  
9 documents in evidence additionally reflect his  
10 egoism, greed, avarice, lust for power and vindic-  
11 tiveness and aggressiveness against persons per-  
12 ceived by him to disloyal or hostile." A copy of  
13 the Armstrong decision is attached hereto as Ex. F.

14 11) The foregoing case is typical of the types  
15 of charges and abuse that the Organization and Hubbard attempt  
16 to inflict upon its "enemies." I spent 2 months in Los Angeles  
17 defending Mr. Armstrong of the foregoing charges, and I  
18 respectfully submit ~~that~~ the two lawsuits recently brought  
19 against me constitute the response of Hubbard and his Organi-  
20 zation to Judge Breckenridge's decision. Shortly before Judge  
21 Breckenridge issued his opinion, an English Court, Latey, J.  
22 rendered a decision similar to the opinions of other Courts  
23 involving this Organization. In that action, relating to the  
24 custody of two children, the Court ruled that Hubbard and  
25 his Organization were "corrupt, immoral and sinister." The  
26 Court stated as follows:

27 ////

28 ////

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1 "It is corrupt because it is based on lies and  
2 deceit and has as its real objective money and  
3 power for its founder, his wife and those close to  
4 him at the top. It is sinister because it indulges  
5 infamous practices both to its adherents who do  
6 not tow the line unquestioningly and to those outside  
7 who oppose it. It is dangerous because it is out  
8 to capture people, especially children and impres-  
9 sionable young people, and indoctrinate and brain-  
10 wash them so that they become the unquestioning  
11 captives and tools of the cult."

12 The Court went on to declare L. Ron Hubbard was a "charleton  
13 and worse" and that his methods were "grimly reminiscent of  
14 the ranting and bullying of Hitler and his henchmen." A copy  
15 of said decision is attached hereto as Exhibit G.  
16

17 12) Several of the witnesses who testified in the  
18 English and Armstrong cases were represented by my office, Gerald Armstrong  
19 was represented by me personally, and several of the witnesses  
20 in the Tax Court case were represented by my office. One of  
21 these witnesses, Laurel Sullivan, who gave sworn testimony  
22 under oath in the Armstrong case, has been named as a defendant  
23 in one of the recent actions brought against me, solely for  
24 the purpose of harassing her, intimidating her from giving  
25 testimony, and seeking to obtain discovery in connection with  
26 pending criminal investigations against Hubbard and his  
27 Organization. These investigations include governmental  
28 agencies in the United States such as the Internal Revenue

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1 Service, the Federal Bureau of Investigation, the Attorney  
2 General of Florida, the Panellas County State's Attorney's  
3 Office in Clearwater, Florida, and the United States Attorney's  
4 Office in Tampa, Florida. The government of Canada is also  
5 involved in a major nationwide criminal investigation of  
6 Hubbard and his Organization. Laurel Sullivan and Gerald  
7 Armstrong have both given sworn testimony to that government.  
8 It is apparent, therefore, that given the written policies  
9 of Hubbard to use the law to "harass and discourage" and to  
10 "find or manufacture" attacks against his enemies, that the  
11 two most recent lawsuits have been brought purely for strategic  
12 and malicious purposes. Indeed, on successive days in Los  
13 Angeles, Boston, Toronto, and other cities in the United  
14 States, the Church of Scientology has conducted press con-  
15 ferences for the purposes of disseminating "black PR" against  
16 myself and my clients. This "black PR policy" has been  
17 recognized by the Boston Federal District Court Judge W.  
18 Arthur Garrity, in connection with "an operation" against  
19 me called "Juggernaut." Judge Garrity stated:

20 - "Similarly, the plaintiff alleges that 'Operation  
21 Juggernaut' 'included, among other things, intensive  
22 covert surveillance of plaintiff's attorneys by  
23 various means, and the filing of lawsuits against  
24 plaintiff and plaintiff's attorneys in remote foreign  
25 jurisdictions.' Plaintiff alleges that the 'Jugger-  
26 naut' documents are relevant because they relate to  
27 the general climate of terror which the defendants  
28 intentionally created in an attempt to force the

1                   plaintiff into submission."

2  
3       In connection with the production of "Juggernaut" documents,  
4       the Court went on to state that:

5               "We have read each one of the nine exhibits carefully,  
6               and in our view, they are all relevant and discoverable  
7               unless they are privileged."

8       The Court quoted from Hubbard's "dictionary" under the heading  
9       "black propaganda" in support of his ruling. Black propaganda  
10      policy states as follows:

11              "A covert attack on the reputation of a person,  
12              company or nation using slander and lies in order  
13              to weaken or destroy."

14  
15              13) In the past four months since the Armstrong  
16      decision, the Church of Scientology has engaged in a massive  
17      "Black PR" campaign, of which these two latest ~~lawsuits are~~  
18      a part, to destroy my reputation. The recent efforts of  
19      Hubbard and his Organization include procurement through the  
20      payment of \$25,000 to an individual currently under indictment  
21      for perjury and ~~fraud~~, of an affidavit claiming that I assisted  
22      in the forgery of a two million dollar check belonging to H.  
23      Ron Hubbard. The affidavit was procured by one Eugene Ingram  
24      who has been removed from the Los Angeles Police Department  
25      for aiding narcotics dealers, pimping, and running a house  
26      of prostitution. Mr. Ingram procured the affidavit from a  
27      citizen of the United Arab Emirates after publicizing a  
28      \$100,000 reward in full page advertisements in the Boston

1 Globe, the New York Times, and other newspapers. Mr. Ingram  
2 also procured affidavits from one George Edgerly, claiming  
3 that I had attempted to bribe him, and threaten to break his  
4 wife's legs. Mr. Edgerly is a well-known convicted felon in  
5 Massachusetts who has been convicted of larceny, first  
6 degree murder, rape and a variety of other offenses. I  
7 do now know how much money Mr. Ingram paid to Mr. Edgerly  
8 for the foregoing affidavit. Copies of some of the articles  
9 that Hubbard, his organization and Ingram have disseminated  
10 throughout the United States in connection with the foregoing  
11 are attached hereto collectively as Exhibit H. After re-  
12 viewing said materials, Judge Paul Breckenridge of the Los  
13 Angeles Superior Court referred to them as "garbage."

14  
15 14) The implementation of Hubbard's Fair Game  
16 Doctrine against lawyers, judges and indeed, the judicial  
17 system itself, is reflected by a consistent pattern of abusive  
18 tactics, which include the following:

19 a) In the case of United States v. Heldt,  
20 668 F.2d 1238 (D.C. Cir. 1981), a criminal  
21 prosecution against 11 of Hubbard's top  
22 aides including his wife, Mary Sue Hubbard,  
23 for obstruction of justice, perjury, con-  
24 spiracy, kidnapping, and related charges,  
25 the Organization and the aforesaid defendant  
26 unleashed an "attack" against the entire  
27 United States Attorney's Office and Federal  
28 District Court in the District of Columbia,

1 which included motions to disqualify the  
2 entire United States Attorney's Office,  
3 motions to disqualify several federal  
4 judges in that district, who were sitting  
5 on the case at one time or another, bar  
6 complaints against Raymond Banoun and  
7 Judith Heatherton of the United States  
8 Attorney's Office, covert surveillance of  
9 the judges, and a public attack on the  
10 character of Judge Richey of that Court  
11 for his purported association with a  
12 prostitute. See, e.g., article in the  
13 "American Lawyer," attached hereto as  
14 Exhibit B.

- 15
- 16 b) Hubbard and his Organization in 1975-1976,  
17 pursuant to "Project Owl" placed agents to  
18 infiltrate the Attorney General's Office,  
19 the Suffolk County District Attorney's Office,  
20 and brought criminal and civil complaints  
21 against the Assistant District Attorney for  
22 Suffolk County in connection with an effort  
23 by that office to collect a refund of monies  
24 paid by individuals to the Organization.  
25 See Exhibit I attached hereto.
- 26 c) In the Gerald Armstrong case, the Organi-  
27 zation brought several contempt actions  
28 against Julia Dragojevic, the young attorney

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1 from Woodland Hills, California who assisted  
2 me in the defense of Mr. Armstrong. These  
3 contempt actions were dismissed.  
4

- 5 d) In the case of U.S. v. Article or Device,  
6 333 F.Supp. 357 (D.C. 1971), Hubbard and  
7 his Organization engaged in a host of  
8 pernicious activities against Nathan Dodell,  
9 one of the attorneys for the United States  
10 Government, including bar complaints,  
11 infiltration of his office, and "black PR"  
12 campaigns.  
13
- 14 e) Recently, in connection with the pending  
15 criminal investigation by the Canadian  
16 Government, Hubbard and his Organization  
17 have brought civil and criminal contempt  
18 proceedings against Casey Hill, the Chief  
19 Prosecutor for the Attorney General of Canada.  
20
- 21 f) In the case of Church of Scientology v.  
22 Cazares, 638 F.2d 1272, 1290 (5th Cir. 1981),  
23 the Court ordered Scientology to pay legal  
24 costs to the former mayor of Clearwater  
25 who criticized them for bringing a "frivolous,  
26 unreasonable and groundless" action. After  
27 said decision, Mayor Cazares brought a legal  
28

1 action against Hubbard and the Organization  
2 for, inter alia, infiltrating the law firm  
3 of his lawyer, Walt Logan, of St. Petersburg,  
4 Florida, by having one of its members, also  
5 an attorney, seek employment at Mr. Logan's  
6 law firm for the purpose of stealing documents,  
7 and influencing the outcome of the litigation.  
8

9 g) The activities of Hubbard and the Organization  
10 also include theft of documents from the  
11 law firm of Bingham, Dana & Gould of Boston,  
12 Massachusetts; the theft of documents from  
13 a law firm in Toronto, Canada; and theft of  
14 documents from numerous other governmental  
15 agencies involved in litigation with the  
16 Organization. For a somewhat detailed account  
17 of these activities, see "Sentencing Memorandum"  
18 submitted by United States Attorney  
19 Charles Roth of the District of Columbia  
20 in the case of United States v. Kember, et al,  
21 Criminal No. 78-401 (2) (3) (D.D.C. 1980),  
22 a copy of which is attached hereto as  
23 Exhibit J. Indeed, Ms. Kember, the defendant  
24 in the aforementioned case recited in a document  
25 attached hereto as Exhibit K, with regard to  
26 legal actions in the United States, that the  
27 policy should be to harass "opponents and  
28 their lawyers with correspondence (a lawyer's

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1 letter costs approximately \$50.00), phone  
2 calls, (time costs), interrogatories, deposi-  
3 tions, and whatever else legal can mock up,"  
4 "making it more costly to continue the legal  
5 action than to settle in some fashion."  
6

7 h) In the case of Burden v. L. Ron Hubbard,  
8 Tampa Federal District Court, No. 81-501-  
9 CIV-T-K, Hubbard and his organization paid  
10 a private investigator \$250,000 to "set up"  
11 Federal Judge Ben Krentzman by attempting  
12 to lure him on board a yacht with prostitutes,  
13 drugs, hidden video-tapes and microphones.  
14 See affidavit of William Franks attached here-  
15 to as Exhibit L.  
16

17 15) The recently filed lawsuits against  
18 me, my colleagues and my clients ~~fit~~ perfectly into the pattern  
19 I have been describing. After undertaking the representation  
20 of one former Scientologist in July 1979, for the purpose of  
21 obtaining a refund from the Church of Scientology, it proceeded  
22 to do the following against me:  
23

24 a) Infiltrate my office with prospective  
25 employees;  
26

27 b) Steal thousands of documents of an attorney/  
28 client character from my office and premises;

1 c) contact my clients for the purpose of  
2 separating them from me as clients;  
3

4 d) generally engage in a wholesale pattern  
5 of "operations" to dissuade me from repre-  
6 senting La Venda Van Schaick. See attached  
7 affidavit of a former Scientology agent  
8 annexed hereto as Exhibit E.  
9

10 16) After I brought suit on behalf of La Venda Van  
11 Schaick in the Boston Federal District Court, the Church of Scien-  
12 tology within a matter of days instituted legal proceedings in  
13 the Las Vegas Federal District Court against Van Schaick, Thomas  
14 Hoffman (my colleague), and Kevin Flynn (my brother). The suit  
15 was dismissed within approximately 30 days after a Motion to  
16 Dismiss was filed. The Church then proceeded to institute law-  
17 suits in the Las Vegas Circuit Court, Suffolk County Superior  
18 Court, Boston, Los Angeles, California and Tampa, Florida. To  
19 date, the Church of Scientology has brought legal proceedings  
20 against myself and my colleagues on fourteen (14) separate occa-  
21 sions. Ten (10) cases have been dismissed to date and Motions  
22 to Dismiss are pending in other cases more recently brought.  
23 The lawsuits brought to date are as follows:

24 I. Church of Scientology of Boston, Inc. v. Michael  
25 Flynn, Civil No. 40906. (Suffolk Superior Court,  
26 Mass. 1980)

27 II. Church of Scientology of Nevada, Inc. v. Thomas  
28 Hoffman, Kevin Flynn, et al., Civil No. LV-80-HEC

- 1        III. Church of Scientology of Nevada, Inc. v. Kevin  
2        Flynn and La Venda Van Schaick, Civil No. 196880  
3        Nevada Circuit Court
- 4        IV. Church of Scientology of Nevada, Inc. v. Michael  
5        Flynn, Civil No. 202573, Nevada Circuit Court
- 6        V. Steven Miller v. Michael Flynn, et al., Civil No.  
7        81-4275 (C.D. Calif. 1981)
- 8        VI. Cazares v. Church of Scientology, Civil No. 81-3472-  
9        CA-01, Volusia County Circuit Court
- 10       VII. Garrison v. Church of Scientology, Civil No. 82-2608-T  
11       (D. Mass. 1981)
- 12       VIII. Church of Scientology of California, Inc. v.  
13       Michael Flynn, Thomas Hoffman and Thomas Greene,  
14       Civil No. CV-83-896-CBM (C.D. Calif. 1983)
- 15       IX. Church of Scientology v. Michael Flynn, Thomas  
16       Hoffman, Thomas Greene and Kevin Flynn, CV-83-3259-CBM;  
17       CV-81-3260-CBM (C.D. Calif. 1983)
- 18       X. Flag Service Org, Inc. v. Michael Flynn and the City  
19       of Clearwater, Civil No. 82-440-CIV-T-WC (Tampa,  
20       Florida 1982)
- 21       XI. Church of Scientology of California, Inc. v. Michael  
22       Flynn, Civil No. 83-5052-R (C.D. Calif. 1983)
- 23       XII. Church of Scientology of California, Inc. v. Michael  
24       Flynn, Civil No. 83-2386-S (S. Mass. 1983)
- 25       XIII. Church of Scientology v. Michael Flynn, (contempt  
26       proceeding dismissed in the case of Church of Scien-  
27       tology v. Gerald Armstrong, California Superior Court  
28       No. C 420 153

XIV. Michael J. Flynn v. L. Ron Hubbard, Boston Federal District Court, No. 83-2642-M (Counterclaims in intervention)

XV. Church of Scientology of California and Church of Scientology, Flag Service Organization, Inc. v Michael J. Flynn, et al., C.A. No. 84-8182, United States District Court (C.D. Calif. 1984)

XVI. Mary Sue Hubbard v. Ronald Dewolf, Michael J. Flynn, et al., No. C 474 789, California Superior Court, County of Los Angeles, 1984.

17) I hope the foregoing makes plain the important issues implicated in these latest lawsuits brought by the Church of Scientology and Mary Sue Hubbard. Since 1980, Scientology has been multiplying litigation for the avowed purpose of preventing me from representing my clients. Regardless of which side ultimately prevails in cases such as Van Schaick v. Church of Scientology of California, supra, to the extent that Hubbard and the Organization can harass me with frivolous suits, it will undermine the representation of my clients, thereby substantially obstructing their legal rights. Such a chilling effect, I respectfully submit, is antithetical to our jurisprudence and related First Amendment values. These values are extremely important to me and to my clients. Contrary to the absurdly false allegations disseminated by Hubbard and the Church of Scientology in the media and through the vehicle of lawsuits such as those most recently brought, it is not my intent to destroy any religion nor have I ever engaged in any abusive legal proceedings. The "missing person" petition brought in the

1 Riverside Probate Court by me on behalf of Ronald Dewolf,  
2 formerly L. Ron Hubbard, Jr., was brought precisely in  
3 order to determine whether L. Ron Hubbard was a "missing  
4 person" within the meaning of the California Probate Code.  
5 This proceeding was brought with complete justification in  
6 reliance upon the following:

7  
8 a) In April 1982, L. Ron Hubbard's attorney,  
9 Alan Goldfarb of Miami, Florida, filed an  
10 affidavit in the Federal District Court in  
11 Tampa in effect stating that his client was  
12 a missing person. A copy of that affidavit  
13 is attached hereto as Exhibit M.

14  
15 b) Hubbard had been defaulted in a multi-million  
16 dollar lawsuit brought by Paulette Cooper, a  
17 ~~journalist who had been "framed" by Hubbard~~  
18 and his Organization in connection with his  
19 failure to appear and defend that action. A  
20 copy of that default is attached hereto as  
21 Exhibit N.

22  
23 c) Hubbard's wife, Mary Sue Hubbard, had stated  
24 under oath in depositions and in interrogatories  
25 that she had not seen her husband since "late  
26 1979" and she had stated to others such as  
27 Laurel Sullivan, that she did not believe that  
28 her communications were reaching her husband;

1 d) In May - June 1982, an effort was made to  
2 forge and cash one of L. Ron Hubbard's checks  
3 in a bank in New York City.  
4

5 e) At the time of the attempted forgery, Hubbard's  
6 primary investment advisor, Jan Goergen, and  
7 his company, InterCap Ltd. had received large  
8 sums of money from L. Ron Hubbard accounts, and  
9 one of InterCap's principals, David Delozier,  
10 was then under indictment in Arizona for acti-  
11 vities related to organized crime.  
12

13 f) Some of L. Ron Hubbard's most valuable assets,  
14 his trademarks, were transferred for no consider-  
15 ation from Hubbard to a Scientology-related  
16 organization by an attorney who represented  
17 Both Hubbard and the organization. A hand-  
18 writing expert determined that the purported  
19 signature of L. Ron Hubbard on the assignment of  
20 the trademarks was a forgery. This assignment  
21 was in the possession of various Scientology  
22 officials who purportedly notarized Hubbard's  
23 signature at the time of the assignment.  
24

25 18) In sum, it was obvious that the bringing of the  
26 missing person's petition was appropriate under all of the  
27 circumstances and that the Superior Court in Riverside County  
28 was prepared to make a ruling that L. Ron Hubbard was in fact,

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1 a missing person until the day prior to such ruling, Mary  
2 Sue Hubbard's attorneys produced an affidavit purportedly  
3 from L. Ron Hubbard.  
4

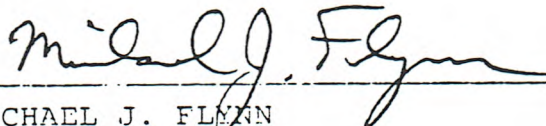
5 19) Similarly, the recent lawsuit brought in the  
6 Los Angeles Federal District Court against myself; my colleague,  
7 Thomas Hoffman; my brother, Kevin Flynn; and my client, Laurel  
8 Sullivan, is equally specious. Most of the allegations in  
9 the Complaint have previously been brought in the Los Angeles  
10 Federal Court in the case of Church of Scientology v. Flynn,  
11 et al., Docket Nos. CV-83-896-CBM; CV-83-3259-CBM, CV-83-3260-  
12 CBM; and 83-5052 (C.D. Calif. 1983), in which the same con-  
13 spiracy was alleged to destroy Scientology's religious freedom  
14 through the corporation Flynn Associates Management Corporation,  
15 as is presently alleged. Although the Church of Scientology was  
16 given three opportunities to amend the Complaint to state a  
17 cause of action, it failed to do so. The case was dismissed  
18 by Judge Marshall, and the Ninth Circuit Court of Appeals has  
19 recently upheld said dismissal. A copy of that decision is  
20 attached hereto as Exhibit P.  
21

22 20) Scientology's attorneys, as part of their cam-  
23 paign of harassment, have deposed myself and my colleagues on  
24 at least 20 days and have also attempted to depose me on at  
25 least 25 additional days. Two of the attempted depositions  
26 were sought while I was engaged for a period of ten (10) days,  
27 in the representation of the City of Clearwater, Florida for  
28 legislative hearings relating to the Church of Scientology.

1 The Church of Scientology obtained a finding of contempt against  
2 me by Florida Circuit Court Judge Robert Durden, for not  
3 appearing for the deposition. The contempt conviction was  
4 later vacated, Judge Durden has been removed from the bench  
5 and is being investigated for receiving bribes.

6  
7 21) In light of all of the foregoing, it is respect-  
8 fully submitted that I will need approximately ninety (90)  
9 days to hire attorneys for the purpose of defending these  
10 actions, meet with said attorneys and review the five (5) years  
11 of litigation in which I have been involved against Hubbard  
12 and his Organization, and determine the appropriate course of  
13 action, including the possibility of bringing Motions to  
14 Dismiss, Motions for Summary Judgment or counterclaims against  
15 the plaintiffs in said actions and their attorneys for the  
16 institution of malicious and abusive legal proceedings. At  
17 least one of these attorneys has been involved in at least  
18 four (4) actions against me, three of which have been  
19 dismissed to date.

20  
21 Signed under the pains and penalties of perjury of  
22 the laws of the State of California this 7 day of Novem-  
23 ber, 1984.

24  
25   
26 MICHAEL J. FLYNN

27 ////

28 ////

Commonwealth of Massachusetts

Suffolk, SS.

November 7, 1984

Then personally appeared before me the above named,  
MICHAEL J. FLYNN, and acknowledged the foregoing instrument  
to be his true act and deed.

Before me,

Lorna E. Turcotte  
NOTARY PUBLIC

My Commission Expires: 3/31/84